

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTHONY SILVA, et al.

Plaintiffs,

v.

STANISLAUS COUNTY, et al.,

Defendants.

No. 2:23-cv-01887-DJC-CSK

ORDER

Defendants request that the Court permit late disclosure of rebuttal witnesses and extend the time for parties to complete expert discovery. (ECF No. 31.) Plaintiffs have opposed these requests. (ECF No. 32.)

Defendants disclosed a rebuttal witness, Dr. Robert Shavelle, PhD, to Plaintiffs two business days after the deadline to do so. Defendants represent that the failure to timely disclose this expert was due to an internal miscommunication at the office of counsel. Given the de minimus nature of this delay and the absence of any prejudice to Plaintiffs, the Court will grant Defendants' request to permit the late disclosure of Dr. Robert Shavelle, PhD.

Defendants also request that the Court extend the expert discovery completion date by over two months from April 18, 2025 to June 27, 2025. Defendants make this

1 request on the grounds that Defendants' Counsel is scheduled to be engaged in a
2 trial currently set to commence on April 14, 2025. The Court denies this request as
3 Defendants have not shown good cause to modify the scheduling order. The Court is
4 familiar with the trial referenced by Defendants' Counsel as it is before the
5 undersigned. The trial date in that matter has been scheduled since October 27,
6 2023. Counsel's law firm also has significant resources at its disposal such that a
7 longstanding trial date in one matter should not prevent Counsel from meeting
8 discovery obligations and deadlines in this case. Defendants' request would also
9 significantly prejudice Plaintiffs as it would, at a minimum, require the dispositive
10 motion filing deadline of June 27, 2025, to be moved as Defendants request to
11 extend the expert discovery deadline to that same date. Further modifications of the
12 schedule, including the trial date, would likely be necessitated as well. As such,
13 Defendants have not shown good cause to modify the scheduling order and extend
14 the expert discovery completion date.

15 Accordingly, Defendants' Motion (ECF No. 31) is GRANTED as to the late
16 disclosure of Dr. Robert Shavelle, PhD as an expert rebuttal witness and DENIED as to
17 Defendants' request to continue the expert discovery completion date.

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19 IT IS SO ORDERED.

20 Dated: **April 7, 2025**


21 Hon. Daniel J. Calabretta
22 UNITED STATES DISTRICT JUDGE
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